



1
2
3
4
5
6
7
Entered on Docket
September 22, 2009

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
Fax: 702 258-8787

America's Servicing Company
09-71598 / 1127114400

14
15
16
17
18
19
20
21
22
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

23
24
25
26
In Re:

Jose Luis Curiel

Debtors.

BK-S-08-16865-lbr

MS Motion No.

Date:

Time:

Chapter 13

23
24
25
26
ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3	4 Monthly Payments at \$2,871.49	\$11,485.96
4	(March 1, 2009- June 1, 2009)	
5	3 Late Charges at \$128.76 each	\$386.28
6	(March 16, 2009 – May 16, 2009)	
7	Motion Filing Fee	\$150.00
8	Attorneys Fees	\$750.00
9	Less Debtor suspense	- (\$3.51)
10	Total Arrearages	\$12,768.73

11 The above arrearage shall be paid in six (6) monthly installments of \$2,128.12. These payments
 12 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month
 13 commencing with the June 20, 2009 payment and continuing throughout and concluding on or before
 14 November 20, 2009.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 16 Debtors at least five business days' notice of the time, place and date of sale.

17 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 18 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 19 with the July 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject Property,
 20 generally described as 165 Adomeit Dr. , Henderson, NV 89074, and legally described as follows:

21 Lot Forty-Eight (48) of MONTECITO AT SILVER SPRINGS UNIT I, as shown by map
 22 thereof on File in Book 44 of Plats, Page 64, and amended by Certificate of Amendment recorded January
 23 11, 1990 in Book 900111 of Official Records as Document No. 00685, in the Office of the County
 24 Recorder of Clark County, Nevada.

25 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
 26 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
 27 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
 28 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
 29 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be
 30 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure
 31 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to

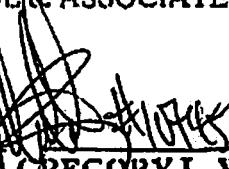
1 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
2 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
3 possession thereof.

4

5 Submitted by:

6 WILDE & ASSOCIATES

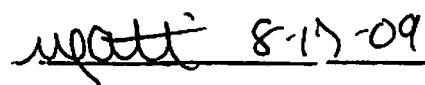
7

8 By 

9 GREGORY L. WILDE, ESQ.
10 Attorney for Secured Creditor
11 208 South Jones Boulevard
12 Las Vegas, Nevada 89107

13 APPROVED AS TO FORM & CONTENT:

14 Rick A. Yarnall

15 By  8-17-09

16 Rick A. Yarnall
17 Chapter 13 Trustee
18 701 Bridger Avenue #820
19 Las Vegas, NV 89101

Philip K. Goldstein

By 

Philip K. Goldstein
Attorney for Debtors
609 S. 7th Street
Las Vegas, NV 89101

20 Nevada Bar No. _____

21

22

23

24

25

26